

Message Text

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PAGE 01 NDJAME 01996 281245Z

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ACTION AF-08

INFO OCT-01 ISO-00 L-03 AID-05 CPR-01 SCA-01 IGA-02 /021 W

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P 281220Z JUL 76

FM AMEMBASSY NDJAMENA

TO SECSTATE WASHDC PRIORITY 1997

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E.O. 11652: N/A

TAGS: APER, PDIP, (MAHAN, VAL R.)

SUBJECT: GOC BACKPEDALS ON AID EMPLOYEE FATAL ACCIDENT INCIDENT.

REF: (A) NDJAMENA 1598; (B) STATE 147843

1. REFTEL A REPORTED CONVERSATION WITH SECSTATE FOREIGN AFFAIRS DURING WHICH LATTER STATED THAT DIPLOMATIC ASPECTS MAHAN CASE AGREED UPON AND SETTLEMENT UP TO INSURANCE COMPANY.

2. EMBASSY ON JULY 27 RECEIVED MFA NOTE DATED JULY 24 WHICH SAID, IN SUMMARY: AS RESULT MAHAN ACCIDENT JUNE 12 (ACUTALLY APRIL 12) ONE MAN KILLED AND ONE SERIOUSLY INJURED WHEN THEIR MOTORBIKE STRUCK FROM BEHIND BY EMB CAR DRIVEN BY MAHAN. RELATIVE DEAD MAN FILED COMPLAINT AGAINST MAHAN WITH COMMISSIONAIR POLICE FOR 8,000,000 CFA TO SUPPORT FIVE CHILDREN AND EDUCATE THEM. INJURED MAN CLAIMS 500,000 FOR HEAD INJURIES AND DISTRESS. MAHAN CALLED TO COMMISSARIAT BUT EMB SENT NOTE MAY 28 CLAIMING DIPLOMATIC IMMUNITY. PROCURER OF REPUBLIC ASKED DIRECTOR GENERAL MFA TO HOLD MEETING WITH MAHAN AND DETERMINE EVENTUAL COMPROMISE SOLUTION. "TAKING TINO ACCOUNT THE EXCELLENT RAPPORT WHICH EXISTS BETWEEN OUR TWO COUNTRIES, MFA WOULD BE INFINITELY GRATEFUL" TO EMB TO HAVE MAHAN COME TO THE OFFICE OF THE DIRECTOR GENERAL "IN ORDER TO FIND A SOLUTION TO THIS AFFAIR THAT THE MINISTRY WISHES TO PUT IN ORDER ASAP."

3. WHILE MFA NOTE DOES NOT SEEM TO CALL INTO QUESTION DIPLOMATIC IMMUNITY STATUS OF MAHAN, NOTE DESCRIBED REFTEL (B) DOES CARRY IMPLICATION THAT ALL AID EMPLOYEES MAY BE UNDER CONSIDERATION
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FOR TREATMENT DIFFERING FROM THAT ACCORDED DIPLOMATIC

PERSONNEL. PROPOSE THAT EMB RESPOND BY STATING THAT CHARGE
PLEASED WILLING TO MEET WITH DIRECTOR GENERAL AT HIS CONVENIENCE
TO DISCUSS MATTER, AT WHICH TIME NOTE WOULD BE GIVEN DIRECTOR
GENERAL STIPULATING AGAIN THAT EMB CONSIDERS MAHAN TO HAVE
DIPLOMATIC IMMUNITY, RECALLING CONVERSATION BETWEEN SECSTATE
MFA AND CHARGE AT WHICH TIME CHARGE GAVE SECSTATE NOTE
DESCRIBING IMMUNITIES PERMITTED GOC DIPLOMATIS AND TECHNICAL
AND ADMINISTRATIVE AIDES IN US, AND OBSERVING
THAT AT THAT MEETING IT CONCLUDED FINANCIAL SETTLEMENT SHOULD
BE DISCUSSED WITH INSURANCE COMPANY.

4. APPRECIATE PROMPT GUIDANCE. DWYER

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Message Attributes

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